

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Chikamasa Yamashita et al.	)	Group Art Unit: 3771
	)	
Application No.: 10/538,176	)	Examiner: Shumaya B. Ali
	)	
Filed: June 9, 2005	)	Confirmation No.: 1747
	)	
For: Inhalation Device for	)	
Transpulmonary Administration	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement includes a statement as specified by Section 1.97(e).

The following constitutes the statement specified by 37 C.F.R. § 1.97(e). Each document listed in this Information Disclosure Statement was first cited in a communication from the Chinese Patent Office in a counterpart foreign application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication.

Copies of the listed foreign and non-patent literature documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

In lieu of a statement of relevance or translation of the non-English documents, an English language version of an Office Action from the Chinese Patent Office in a corresponding application citing these documents and setting forth the relevance thereof is enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: May 16, 2008

By: Charles E Van Horn  
Charles E. Van Horn  
Reg. No. 40,266  
(202) 408-4000